

# **EXHIBIT C**



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July 16, 2021

**VIA E-MAIL**

Stephen M. Owen  
Lockridge Grindal Nauen PLLP  
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Re: Case No. 18-CV-01776-JRT-HB, *In re Pork Antitrust Litigation*

Dear Mr. Owen:

I write in response to your letter to Mr. Rock of June 30.

As an initial matter, the proposals made in your letter do not accurately reflect our June 1 meet-and-confer call with you and Joe Bourne. It was our understanding that your firm was interested in exploring the possibility of imaging our clients' devices for purposes of preserving any existing information so that it would be available for further review or analysis later, if necessary.

We also made clear that any costs related to imaging cell phones and other electronic preservation, review and discovery would need to be taken on by your firm or clients. As third party witnesses, our clients are under no obligation to pay for the imaging of their cell phones for your use in the underlying litigation. *See* Fed. R. Civ. P. 45 (d)(1), (e)(1)(D). In addition, it is generally accepted that discovery from non-parties typically carries a stronger burden to establish relevance than that required for discovery from parties. *See, e.g., Pinehaven Plantation Props., LLC v. Mountcastle Family, LLC*, No.1:12-CV-62 (WLS), 2013 WL 6734117, at \*2 (M.D. Ga. Dec. 19, 2013). To date, Plaintiffs have not provided an adequate basis for believing that there is a likelihood that any of our clients' personal cell phones will contain any information potentially relevant to the litigation, particularly in light of the information already provided to you in our clients' initial responses to their individual subpoenas.

Please let me know if you would like to discuss these issues further.

Sincerely,

Kathy Stephens

cc: John Rock